



MAIL STOP - AMENDMENT
Docket No. 26610U
Attorneys: GMN/JLM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: GULBINS	Art Unit: 1614
Serial Number: 10/524,815	Examiner: UNKNOWN
Filing Date: February 18, 2005	Confirmation No.: 1995
Title: PROPHYLAXIS AND TREATMENT OF INFECTIOUS DISEASES	

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

1. Copy of the Search Report issued in the parallel European Application;
2. Information Disclosure Statement;
3. PTO Form-1449 citing 8 references;
4. Copies of 5 of the 8 cited references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW-GROUP

May 16, 2007

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

Gary M. Nath, Reg. No. 26,965
Jerald L. Meyer, Reg. No. 44,194
Customer No. 20529

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

a. ☒ [XXX] The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

b. ☐ [] The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed statement is accompanied by [check one]:

☐ [] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or

☐ [] ii. a check in the amount required by 37 C.F.R. 1.17(p).

c. ☐ [] The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

☐ [] Certification report(e) below; and

☐ [] a check in the amount as required by 1.17(p).

d. ☐ The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

f. [XXX] If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

g. [XXX] Copies of the documents are attached herewith with a completed PTO Form-1449.

or

☐ Copies of the documents are not attached, with a completed PTO Form-1449 as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

[XXX] Copies of US Patents/Publications not attached, with a completed PTO Form-1449 as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

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Docket No. 26610U

Attorneys: GMN/JLM

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

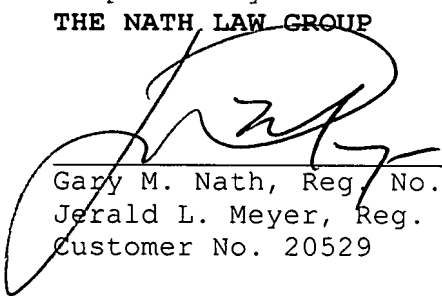
If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,

THE NATH LAW GROUP

May 16, 2007

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314



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Docket No.: 26676U
Attorneys: GMN/JLM

PTO FORM 440 INFORMATION DISCLOSURE CITATION	Inventor: GULBINS	Art Unit: 1614
	Appl. No.: 10/524,815	Examiner: UNKNOWN
	Filed: February 18, 2005	Confirmation No.: 1995

U.S. PATENT DOCUMENTS

Exam. Initial		Document No.	Issue/Public. Date	Inventor	Filed Date
	A1	2002/0177126	28 Nov 2002	Young et al.	28 Nov 2001
	A2	5,233,024 (corresponds to WO 92/018162)	03 Aug 1995	Schreiber et al.	09 Apr 1991
	A3	2005/0054588 (corresponds to WO 03/061767)	10 Mar 2005	Borody	23 Jul 2004
	A4				
	A5				

FOREIGN PATENT DOCUMENTS

Exam. Initial		Document No.	Public. Date	Country	Translation
	A6	00/56890	28 Sep 2000	WO	N/A
	A7	00/33885	15 Jun 2000	WO	N/A
	A8	99/41373	19 Aug 1999	WO	N/A
	A9				
	A10				

OTHER

Exam. Initial	(Including Author, Title, Date, Pertinent Pages, etc.)	
	A11	Prince et al., "KGF alters gene expression in human airway epithelia: potential regulation of the inflammatory response." <u>Physiol. Genomics</u> , v.6, pp.81-89, 2001.
	A12	Shute et al., "Growth factors in cystic fibrosis - when more is not enough." <u>Paediatric Respiratory Reviews</u> , v.4, pp.120-127, 2003.
	A13	
	A14	

Examiner	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP'609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.